



**MEETING MINUTES**  
BOARD OF SUPERVISORS, COUNTY OF MONO  
STATE OF CALIFORNIA

**Special Meeting**  
Crowley Lake Community  
Center, Crowley Lake, CA  
93546

**May 12, 2009**

6:15 PM Meeting Called to Order by Chairman Reid  
Pledge of Allegiance led by Supervisor Hazard

**OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**  
*No one spoke.*

**REGULAR AGENDA**

**COMMUNITY DEVELOPMENT - PLANNING DIVISION**

**Additional Departments:** Public Works, Environmental Health, County Counsel

- 1a) Rock Creek Ranch Specific Plan (**Courtney Weiche and Scott Burns**) - Conduct public hearing regarding Rock Creek Ranch Specific Plan and Vesting Tentative Tract Map. Receive staff report. Consider and potentially adopt Resolution taking actions necessary to approve project and certify Environmental Impact Report.

- R09-20 Action:** Adopt **Resolution R09-20**, including the following actions:  
(A) Certify the Final EIR and adopt the Mitigation Monitoring Program for the Rock Creek Ranch Specific Plan, finding that:  
(1) In compliance with CEQA Guidelines Section 15090 (a): (a) The Final Environmental Impact Report (FEIR) has been completed in compliance with CEQA; (b) The Final EIR has been presented to the decision-making body of the lead agency, and that the decision making body has reviewed and considered the information contained in the Final EIR; and, (c) The Final EIR reflects the lead agency's independent judgment and analysis.  
(2) The FEIR has identified potentially significant effects of the project, which, as the result of changes or alterations incorporated into the project,

have been avoided or reduced to a less than significant level as set forth in Part I of Exhibit A to Resolution 09-20. (14 CCR § 15091(a)(1).)

(3) The FEIR has also identified potentially significant environmental effects which have been mitigated to the lowest feasible levels, but for which specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible additional mitigation or project alternatives identified in the final EIR which would reduce these impacts to a less than significant level, as set forth in Part II of Exhibit A and in Exhibit B to Resolution 09-20. (14 CCR § 15091(a)(3).)

(B) Approve General Plan Amendment 03-03 subject to the findings contained in Resolution 09-20;

(C) Approve the Rock Creek Ranch Specific Plan as amended;

(D) Approve Vesting Tentative Tract Map 37-56, subject to the proposed Revised Conditions of Approval, or as further modified by the Board of Supervisors.

(E) Adopt a Statement of Overriding Considerations concerning the unavoidable, significant adverse impacts of the project (draft Statement of Overriding Considerations distributed at the meeting); and

(F) Consider and adopt Housing Ordinance option set forth as Condition #32 of the Revised Conditions of Approval.

### **Hazard/Bauer, 5-0**

Courtney Weiche gave a PowerPoint presentation outlining the scope of the project:

- Project phasing and alternatives.
- Rock Creek Ranch Final EIR components addressing less-than-significant effects with mitigation, and identifying potentially significant environment effects (such as mule deer habitat and the scenic corridor).
- Tentative Vesting Tract Map 37-56 would provide for the subdivision of a total of 54.7+ acres into 60 single-family lots with open space and a recreational area.
- Applicant can request a modification to the housing ordinance, and suggest alternative proposals; the Planning Commission saw four options.
- CEQA requires a statement of overriding considerations, which the Board would have to approve.
- Recommended action: Adopt the proposed resolution.

Stacey Simon:

- PowerPoint presentation outlining changes to the Conditions of Approval.
- Several suggestions came forward since Planning Commission review. Comments received from Lahontan Regional Water Quality Control Board and BLM; community suggestions were given to Supervisor Hazard.
- Each of the proposed changes has been reviewed by the applicant and the County; applicant acknowledged that the changes are acceptable.

Supervisor Hazard:

- Reviewed the changes to the Conditions of Approval that he had input on.
- Process for moving through a specific plan is well defined, but does not address how the Supervisor interacts. Believes role as supervisor is to attend meetings and listen to the public input. After public scoping process, the project goes to the Planning

Commission, and eventually to the Board of Supervisors. After the Planning Commission process, Hazard reviewed issues with staff and the developer.

- Has worked to address the concerns expressed by the community.

Matthew Lehman, applicant, gave a PowerPoint presentation outlining the project:

- Owners: Matthew Leman, Jason Moore, and the Capurro Family.
- Partners: Tom Platz, Jim Reed, Dwight Zemp, and Juan Josse.
- Paradise Valley is in the southwest corner of Mono County. Since purchasing the property in 2002, developer has worked with the community to receive input.
- Currently seeking approval of the EIR, specific plan and tentative map.
- Property will be serviced by two private wells; CCRs will be imposed and building envelopes on the lots will retain view corridors.
- Developer is proposing environmentally conscience concepts, such as re-using water, limiting landscaping, encouraging use of passive solar power, utilizing building envelopes, creating open space, and clustering of properties at a lower end of the development.
- Will use a waste water system rather than septic. Conducted a mass balance analysis to address water degradation.
- Developer will maintain the road system. Have proposed a trail system, pool, spa and clubhouse.
- Benefits of the project: reasonably priced housing in southern Mono County; increased tax base; increased job opportunities to the local economy; low impact project; and increased fire protection (water supply and personnel).
- Regarding access onto Rock Creek Road, don't currently have a plan for a pull-out lane. The traffic levels are low.

**Break: 7:20 p.m.**

**Reconvened: 7:26 p.m.**

Dwight Zemp, Santec Corporation (via telephone), discussed the waste water treatment facility. Matthew Lehman showed slides of the presentation:

- Outlined the facility details, and Santec services and support.
- The facility will be below grade in order to minimize visual impact. Proposed design will not utilize any proprietary equipment, so will not require use of just one equipment supplier. Santec will provide ongoing operation and maintenance services, and continuous and effective remote monitoring of treatment levels.
- Showed a pictorial view of the proposed facility at Rock Creek Ranch.
- Talked about the process of treating the waste water, and managing the solids.

Questions for Zemp:

- Where is the off-site disposal area for the solids? Not yet identified, but most regional sewage treatment facilities are set up to receive sludge for disposal; would select the closest site. If use the storage bags, would check for solid waste disposal sites. Possible to dispose of sludge in the same way as Mammoth Community Water District. Juan Josse provided more details about the MCWD process.

Chairman Reid opened the public hearing:

- Barbara Schneider, property owner in Paradise: 1) Neither she nor her sister received a written notice of this meeting. 2) Asked about the view looking over from the existing development in Paradise, and oversight of the waste water treatment system.
  - 1) Scott Burns: Notices published in Inyo Register and Mammoth Times; sent notices to property owners in Swall Meadows and Paradise. Know through email communication that Schneider's sister did receive the notice.
  - 2) Stacey Simon: Addressed how oversight of the system will be handled. There is a condition of approval of the final map that requires an oversight entity

- (either public or private) to be identified, to ensure that oversight will be handled by a qualified entity.
- 3) Jim Reed (representing the developer): The project shall not result in the creation of a nuisance, including odors.
  - 4) Matthew Lehman: Conducted a visual study from a number of different angles. The subdivision was reoriented to reduce the visual impacts; the clustering will impact the visual corridor the least. The majority of the treatment facility is below ground, with only caps a few inches above ground; there will be one building, similar to the current well building on site. Much of the site will be shrouded by trees. Still discussing the idea of combining with the existing water system.
  - 5) Sandra Bauer: There is a buffer area and set back; landscaping will be of natural materials.
- Michael Sullivan, 18 year resident of Paradise: No issues with the design of the project, but asked about traffic. There are no pedestrian facilities on Lower Rock Creek Road; there is now an opportunity to improve the pedestrian safety and address traffic concerns. There has been an increase in commuter traffic, specifically motorcycles which tend to go fast. Most people use the road through the community to access 395.
    - 1) Garret Higerd: Consultant will be looking at traffic calming measures through the Paradise area.
    - 2) Matthew Lehman: The project entrance will be about a quarter of a mile from the entrance of another project.
    - 3) Supervisor Farnetti: Do not want to create a safety problem. Ingress and egress from the developments need to be carefully addressed. The County will have to consider this issue at some point.
    - 4) Supervisor Hazard: May have funding available to address the traffic issues.
  - Ted Carleton: People will use 395 to commute to Mammoth (not the road in the community).
  - Rob Barker, school superintendent: Regarding traffic and safety, the school will be running buses, but there may be children riding bicycles.
  - Amber Woodruff: If speed is an issue, stop signs are effective for slowing down traffic.
    - 1) Chairman Reid: Public Works Department will review the traffic issue.

Chairman Reid closed the public hearing.

Stacey Simon pointed out two minor modifications in items 15 and 40 of the Conditions of Approval: 1) Item 15 requires SCE to provide a utility plan; changed to require the developer to work with SCE to provide a plan of service. 2) Item 40 regarding County's use of the clubhouse—added wording to specify the County can access the clubhouse on a reasonable basis. Simon also pointed out that the EIR indicates there is no connectivity between ground water and surface water. However, Applicant has gone a step further and prepared a report analyzing the effects if there were connectivity. Conclusion is that the effects of seepage (if it occurred) would be insignificant. The developer will enforce the CCRs, but the County will have enforcement authority over the CCRs required by the County.

Board Comments:

- Supervisor Hazard: This project has been under development for quite sometime, and has gone through the public review process; this is private property that is developable. There will be some visual impact but it seems to be minimal; many issues have been addressed and resolved. The County will need to address traffic issues. The proposed project will provide affordable homes for the working community in Mono County.

- Supervisor Bauer: The EIR has been thorough. The existing community will benefit from the project through additional water and fire protection. Many County and Town employees currently live in the area so affordable housing is a plus; this development offers the opportunity for people to stay in Mono County.
- Supervisor Farnetti: The developer has worked to mitigate most of the impacts, and has done a good job. Has addressed responsibility for treatment of waste water; secondary road and emergency access; impacts to wildlife; building envelopes; and CCRs specifying pet restrictions. Would like to give the developer as much flexibility as possible under the housing ordinance.
- Supervisor Hunt: Positive aspects of the project include maintaining the open space design by clustering houses, having no border fences, providing construction jobs for the local community, and offering affordable housing. Lower Rock Creek road is a concern that the County will have to address.
- Chairman Reid: Concur with comments from the other Board Members. The emergency road is a critical component.

ADJOURN: 8:54 p.m.

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